

### **Amendments to the Claims**

Please amend the claims as indicated:

1. (previously presented) A method, comprising  
performing, within a mobile station in a wireless communications network,  
operations of:  
  
transmitting data at a first transmit power level;  
  
determining a first value for a network traffic parameter at the first  
transmit power level;  
  
determining a second power level different than the first power level;  
  
transmitting data at the second transmit power level;  
  
determining a second value for the network traffic parameter at the  
second transmit power level;  
  
wherein the network traffic parameter is based on a volume of communications  
observed by the mobile station.
2. (original) The method of claim 1, wherein said determining a first value  
comprises determining a first throughput value and said determining a second value  
comprises determining a second throughput value.
3. (original) The method of claim 2, further comprising subsequently transmitting  
data at the second transmit power level responsive to one of:

the second transmit power level being less than the first transmit power level and the second throughput value being approximately equal to the first throughput value; and

the second transmit power level being greater than the first transmit power level and the second throughput value being greater than the first throughput value.

4. (original) The method of claim 2, further comprising subsequently transmitting data at the first transmit power level responsive to one of:

the second transmit power level being less than the first transmit power level and the second throughput value not being approximately equal to the first throughput value; and

the second transmit power level being greater than the first transmit power level and the second throughput value not being greater than the first throughput value.

5. (original) The method of claim 1, wherein said determining a first value comprises determining a first network loading value and said determining a second value comprises determining a second network loading value.

6. (original) The method of claim 5 wherein said determining a second transmit power level comprises determining a second transmit power level less than the first transmit power level responsive to the first network loading value being less than a target value.

7. (original) The method of claim 5, wherein said determining a second transmit power level comprises determining a second transmit power level greater than the first transmit power level responsive to the first network loading value being greater than a target value.

8. (currently amended) An article comprising  
a machine-readable storage medium that provides instructions, which when executed by a computing platform, cause said computing platform to perform operations comprising:

transmitting data at a first transmit power level;

determining a first data throughput value based on transmissions at the first transmit power level;

transmitting data at a second transmit power level different than the first transmit power level;

determining a second data throughput value based on transmissions at the second transmit power level; and

setting a subsequent transmit power level at one of the first transmit power level and the second transmit power level, based on a comparison between the first and second data throughput values;

wherein all the operations of transmitting, determining, and setting are performed within a wireless mobile station.

9. (original) The medium of claim 8, wherein:

the second transmit power level is less than the first transmit power level, and  
said setting comprises setting the subsequent transmit power level to the second  
transmit power level responsive to determining the second data throughput value is  
approximately equal to the first data throughput value.

10. (original) The medium of claim 8, wherein:

the second transmit power level is greater than the first transmit power level, and  
said setting comprises setting the subsequent transmit power level to the second  
transmit power level responsive to determining the second data throughput value is  
greater than the first data throughput value.

11. (original) The medium of claim 8, wherein the first and second transmit power  
levels are each less than a predefined maximum transmit power level and greater than a  
predefined minimum transmit power level.

12. (currently amended) An article comprising

a machine-readable storage medium that provides instructions, which when  
executed by a computing platform, cause said computing platform to perform operations  
comprising:

setting a first transmit power level;

transmitting data at the first transmit power level;

determining a first network loading value based on data transmitted at the first  
transmit power level;

comparing the network loading value with a predefined range of network loading values; and

changing the transmit power level for a subsequent transmission of data based on a result of said comparing;

wherein each operation of setting, transmitting, determining, comparing, and changing is performed within a wireless mobile station.

13. (original) The medium of claim 12, wherein said changing comprises decreasing the transmit power level for the subsequent transmission responsive to the network loading value being less than a minimum value in the predefined range.

14. (original) The medium of claim 12, wherein said changing comprises increasing the transmit power level for the subsequent transmission responsive to the network loading value being greater than a maximum value in the predefined range.

15. (original) The medium of claim 12, wherein said changing comprises one of:  
increasing the transmit power level for the subsequent transmission responsive to the network loading value being greater than a predefined value; and  
decreasing the transmit power level for the subsequent transmission responsive to the network loading value being less than the predefined value.

16. (previously presented) An apparatus comprising  
a wireless device adapted to:

determine a first transmit power level;  
transmit data at the first transmit power level;  
determine a first value for a network traffic parameter based at least in part  
on transmissions at the first transmit power level;  
determine a second transmit power level different than the first transmit  
power level;  
transmit data at the second transmit power level; and  
determine a second value for the network traffic parameter based at least  
in part on transmissions using the second transmit power level;  
wherein the network traffic parameter is based on an observed volume of  
communications;  
wherein each operation of determining and transmitting is to be performed  
in a mobile wireless device.

17. (original) The apparatus of claim 16, wherein:

the network traffic parameter is a data throughput parameter;  
the wireless device is further adapted to subsequently transmit data at the second  
transmit power level responsive to the second transmit power level being less than the  
first transmit power level and the second value being approximately equal to the first  
value; and  
the wireless device is further adapted to subsequently transmit data at the first  
transmit power level responsive to the second transmit power level being less than the

first transmit power level and the second value not being approximately equal to the first value.

18. (original) The apparatus of claim 17, wherein:

the wireless device is further adapted to subsequently transmit data at the second transmit power level responsive to the second transmit power level being greater than the first transmit power level and the second value being greater than the first value; and

the wireless device is further adapted to subsequently transmit data at the first transmit power level responsive to the second transmit power level being greater than the first transmit power level and the second value not being greater than the first value.

19. (original) The apparatus of claim 16, wherein:

the network traffic parameter is a network loading parameter; and

the wireless device is further adapted to set the second transmit power level less than the first transmit power level responsive to the first value being less than a first predetermined value.

20. (original) The apparatus of claim 19, wherein the wireless device is further adapted to set the second transmit power level greater than the first transmit power level responsive to the first value being greater than a second predetermined value.

21. (original) The apparatus of claim 20, wherein the first predetermined value is a minimum value in a predetermined range of values and the second predetermined value is a maximum in the predetermined range of values.

22. (previously presented) A system comprising  
a mobile wireless device comprising an omnidirectional antenna, the mobile wireless device adapted to:

- determine a first transmit power level;
- transmit data at the first transmit power level;
- determine a first value for a network traffic parameter based at least in part on transmissions at the first transmit power level;
- determine a second transmit power level different than the first transmit power level;
- transmit data at the second transmit power level; and
- determine a second value for the network traffic parameter based at least in part on transmissions using the second transmit power level;

wherein the network traffic parameter is based on an observed volume of communications.

23. (original) The system of claim 22, wherein:  
the network traffic parameter is a data throughput parameter;



the wireless device is further adapted to subsequently transmit data at the second transmit power level responsive to the second transmit power level being less than the first transmit power level and the second value being approximately equal to the first value; and

the wireless device is further adapted to subsequently transmit data at the first transmit power level responsive to the second transmit power level being less than the first transmit power level and the second value not being approximately equal to the first value.

24. (original) The system of claim 23, wherein:

the wireless device is further adapted to subsequently transmit data at the second transmit power level responsive to the second transmit power level being greater than the first transmit power level and the second value being greater than the first value; and

the wireless device is further adapted to subsequently transmit data at the first transmit power level responsive to the second transmit power level being greater than the first transmit power level and the second value not being greater than the first value.

25. (original) The apparatus of claim 22, wherein:

the network traffic parameter is a network loading parameter; and

the wireless device is further adapted to set the second transmit power level less than the first transmit power level responsive to the first value being less than a first predetermined value.

26. (original) The apparatus of claim 25, wherein the wireless device is further adapted to set the second transmit power level greater than the first transmit power level responsive to the first value being greater than a second predetermined value.

27. (original) The apparatus of claim 26, wherein the first predetermined value is a minimum value in a predetermined range of values and the second predetermined value is a maximum in the predetermined range of values.